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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,187	07/14/2006	Herman Sylvan	P19190-US1	7331
27045	7590	03/03/2010		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER ESTRADA, ANGEL R	
			ART UNIT	PAPER NUMBER
			2831	
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			03/03/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/597,187	Applicant(s) SYLVAN, HERMAN	
	Examiner Angel R. Estrada	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13, 14, 16, 17, 20, 21, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 15, 18, 19 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/14/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed July 14, 2006 has been considered by the Examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13, 14, 16, 17, 20, 21, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Doorn (US 6,482,017).

Regarding claim 13, Van Doorn discloses a sealing element (10) for a cable transit opening provided in a wall of an apparatus housing (see figure 1a and 1b), wherein: the sealing element (10) has the form of an open-ended gaiter (38) which can be fitted to an outer cable (14) intended for connection to equipment situated in said apparatus housing (see figure 1a), said gaiter (see figure 1a) having a generally cylindrical rear end-part that can be fitted to the cable in sealing abutment with its outer barrel surface (see figure 1a), and a generally cylindrical front end-part adapted for sealing abutment with an outer barrel surface tubular socket which projects out from said wall at said cable transit opening (see figure 1b), and wherein the sealing element (10) includes an

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elongate, flexible connecting part which movably connects the two end- parts together (27).

Regarding claim 14, Van Doorn disclose the sealing element (10), wherein said connecting part is adapted to support the front gaiter end-part stably in two mutually different positions in relation to the rear end-part of the gaiter, namely in a forwardly displaced position (see figure 1b) in which the front end-part is located at a significant axial distance from the rear end-part, and a withdrawn position in which the front end-part is located axially close to the rear end-part (see figure 1a).

Regarding claim 16, Van Doorn discloses the sealing element (10), wherein said connecting part has a generally conical shape in said forwardly displaced position (see figure 1b).

Regarding claim 17, Van Doorn discloses the sealing element (10), wherein said connecting part has a material thickness which decreases in a direction from its rear end to its front end (see figure 2a), and wherein said connecting part is connected to the front end-part by means of a narrow flange which projects outwardly from said connecting part in a generally radial direction (see figure 2a).

Regarding claim 20, Van Doorn discloses the sealing element (10), wherein said sealing element is comprised of silicone rubber (column 5 lines 60-62).

Regarding claim 21, Van Doorn discloses a method for sealingly mounting of a cable to a counterpart with a tubular socket projecting from it using a flexible gaiter-like sealing element (see figure 1a), said method comprising the steps of: sealingly fixing a rear-end of the sealing element (10) to the cable (14) thereby partly covering connecting means at the cable end (see figure 1a); uncovering the connecting means by moving the front end-part of the sealing element to a retracted position using the inherent flexibility of the element while essentially keeping the rear end in its fixed position (see figure 1b); connecting the cable to the counterpart via the tubular socket (see figure 1b); moving the front end-part of the sealing element back to its initial forwardly displaced position, thus sealingly covering the connection between the cable and the tubular socket of the counterpart (see figure 1b).

Regarding claim 23, Van Doorn discloses the method, wherein the rear end-part of the sealing element (see figure 1a) is sealingly fixed to the cable using inherent elasticity of the sealing element or crimped or glued to the cable (see figure 1a).

Regarding claim 24, Van Doorn discloses the method, further comprising the step of securing said rear end-part of the sealing element to said cable using a clamping ring (see figure 1a).

Allowable Subject Matter

3. Claims 15, 18, 19 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The primary reason for the indication of the allowability of claims 15, 18, 19 and 22 are:

Regarding claim 15, the prior art does not teach or fairly suggest in combination with the other claimed limitations the sealing element, wherein said front end-part at least partially overlaps the rear end-part when in said withdrawn position.

Regarding claim 18, the prior art does not teach or fairly suggest in combination with the other claimed limitations the sealing element , wherein said rear end-part of the gaiter includes a plurality of peripherally extending ridges and peripherally extending grooves disposed there between.

Regarding claim 19, the prior art does not teach or fairly suggest in combination with the other claimed limitations the sealing element, wherein said front end-part of the gaiter includes an inner ring-shaped bead which is intended for engagement with an external ring-shaped groove in said tubular socket.

Regarding claim 22, the prior art does not teach or fairly suggest in combination with the other claimed limitations the method, wherein the front end-part of the sealing element is clamped to the tubular socket using a clamping ring.

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These limitations are found in claims 15, 18, 19 and 22, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Milanowski et al (US 6,743,980 and US 6,605,781), Scrimshire et al (US 5,886,294, US 6,429,373 and US 5,631,443), Dinh (US 6,180,882), Hatazawa (US 6,261,110), Carissimi (US 3,449,706) and Dupre et al (US 2,958,845) disclose a sealing element for a cable.

5. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) OR 571-272-1000.

February 24, 2010

/Angel R. Estrada/
Primary Examiner, Art Unit 2831